

IN THE HOUSE OF REPRESENTATIVES.

JANUARY 17, 1865.

Read twice, ordered to be printed, and referred to the Committee on Ways and Means.

Mr. STEVENS, on leave, introduced the following bill :

A BILL

To levy duties on leaf and manufactured tobacco.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That from and after the first day of July, in the year of our
4 Lord eighteen hundred and sixty-five, there shall be levied
5 collected, and paid on all unmanufactured and leaf tobacco,
6 tobacco stems, and scraps of tobacco, the production of the
7 United States and Territories, a tax or duty of twenty cents
8 per pound ; and on all leaf tobacco known as strips, and of
9 like production, thirty cents per pound ; and on all unmanu-
10 factured and leaf tobacco, tobacco stems, and scraps of to-
11 bacco, produced or grown in the United States and Territories
12 after the said date, a tax or duty of twenty cents per pound,
13 except such as shall be exported according to the provisions
14 of this act.

1 SEC. 2. *And be it further enacted,* That every person
2 and all persons whatsoever who, on or before the first day
3 of August, in the year of our Lord one thousand eight hun-
4 dred and sixty-five, shall have any tobacco planted or
5 growing upon any ground whatsoever in any State or Terri-
6 tory of the United States, for sale or not for sale on or before
7 the said first day of August, give or send notice in writing,
8 under his, her, or their hands, to the assistant assessor of the
9 assessment district where such tobacco is or shall be planted
10 or growing, of all the tobacco grounds then in his, her, or
11 their possession, of the estimated contents thereof or number
12 of acres therein, and of the name or names of the town,
13 township, parish, municipality or place, towns, townships,
14 municipalities or places wherein the said tobacco is or shall
15 be so planted or growing, and the name or names of the
16 owners, tenants, or occupiers of the ground wherein the said
17 tobacco is or shall be so planted or grown, respectively; and
18 that from and after the said first of August, in the year of
19 our Lord one thousand eight hundred and sixty-five, every
20 person and all persons whatsoever who shall plant or cause
21 to be planted, or shall have growing any tobacco upon any
22 ground whatever in any State or Territory, for sale or not
23 for sale, shall yearly, on or before the first day of August
24 in every year, give like notice of all the tobacco ground
25 wherein any tobacco shall be planted or growing in every

26 such year. And if any person or persons who shall plant or
27 cause to be planted, or grow, or manage the planting or
28 growing of any tobacco within or upon any ground whatso-
29 ever, lying or being in any assessment district, shall neglect
30 to give such notice in writing of his, her, or their tobacco
31 grounds, as aforesaid, within such time as is hereinbefore
32 mentioned, contrary to the true meaning of this act, the
33 offender for every such offence shall forfeit and pay the sum
34 of five hundred dollars for every acre, by estimation, of such
35 ground, and after that rate for any greater or lesser quantity.

1 SEC. 3. *And be it further enacted*, That the owner or
2 grower of any tobacco hereafter planted or grown shall, be-
3 fore the same shall be removed from the property or premises
4 whereon it shall be grown, give notice in writing to the
5 assistant assessor of the proper district, requiring him to
6 cause the said tobacco to be weighed, branded, marked, and
7 numbered, so that it can be fully identified, in conformity
8 with the rules and regulations that the Commissioner of In-
9 ternal Revenue shall from time to time prescribe. And the
10 fees to be paid for the said weighing and branding shall be
11 paid by the said owner or grower, at such rates as shall be
12 prescribed by said Commissioner; and it shall be the duty
13 of such assistant assessor, on receiving such notice, to cause
14 said tobacco to be weighed and branded, as aforesaid; and
15 the said assistant assessor shall keep a record of the tobacco

16 so weighed and branded, as aforesaid, in a book to be
17 provided for that purpose. Any tobacco which shall have
18 been marked or branded in the manner above provided may
19 be removed to a bonded warehouse established in conformity
20 with law and treasury regulations, and may be withdrawn
21 therefrom for exportation without payment of duty, or for
22 consumption, upon payment of the duty on the actual weight
23 at the time of withdrawal, so ascertained as aforesaid; and
24 all tobacco thus removed to a bonded warehouse shall be
25 subject to all the provisions of law relating to the storage of
26 distilled spirits in a bonded warehouse, so far as the same, in
27 the judgment of the Commissioner of Internal Revenue, shall
28 be applicable. And any person who shall counterfeit or
29 fraudulently imitate any such mark or brand, or who shall
30 have, sell, or use any case or package containing any such
31 mark or brand, as aforesaid, for the purpose of selling or
32 transporting any other tobacco than that which was con-
33 tained therein when the mark or brand was affixed, shall be
34 subject to a penalty of five hundred dollars, or to a fine not
35 exceeding that sum, or to imprisonment not exceeding one
36 year. And every person and all persons by whom any case,
37 hogshead, or other enclosure bearing any such marks or
38 brands shall be emptied of its contents, of whatever kind, are
39 required, immediately on the same being emptied, to efface

40 and obliterate such marks or brands, under the penalty of
41 fifty dollars for failure to comply with this requisition.

1 SEC. 4. *And be it further enacted,* That the owner or
2 grower of any unmanufactured or leaf tobacco hereafter grown
3 and sold or grown and removed for consumption or sale, or
4 grown and consumed or used by the grower or owner thereof,
5 or grown and removed, including such as shall have been
6 removed to a bonded warehouse, shall, on the first day of the
7 month after the day on which such sale, consumption, use or
8 removal shall take place, or within ten days after the said
9 first day of said month, make return to the assistant assessor
10 of the proper assessment district of all tobacco so liable to tax
11 or duty, and also of all tobacco removed to a bonded ware-
12 house, distinguishing in said return between such as has been
13 removed to a bonded warehouse and such as has been other-
14 wise removed or been consumed or used, and all proceedings
15 for the assessment and collection of said tax or duty shall be
16 according to the provisions of the act to which this is a sup-
17 plement, and every person, company, or corporation neglect-
18 ing or refusing to make returns, or making insufficient or
19 untrue or false or fraudulent returns, or neglecting or refusing
20 to pay the tax or duty to which he or they shall be liable,
21 shall be subject to all the liabilities, provisions, fines, penalties
22 and forfeitures provided in the said act in cases of like
23 offending.

1 SEC. 5. *And be it further enacted,* That every person,
2 partnership, company and corporation, and all persons, part-
3 nerships, companies and corporations whatever that shall, on
4 the first day of July next, have on hand or in their pos-
5 session or power or on commission any unmanufactured or leaf
6 tobacco, tobacco stems, or scraps of tobacco, shall make return
7 of the same to the assistant assessor of the proper assessment
8 district as manufacturers of tobacco are now bound to do of
9 their manufactured product; and the said unmanufactured or
10 leaf tobacco so returned shall be assessed and the tax herein
11 prescribed paid thereon unless the same be removed to a
12 bonded warehouse; and the proceedings for the assessment
13 and collection of the said tax, and in cases of failure to
14 make returns, or to make true returns, or to make pay-
15 ments, shall be the same as is provided in relation to man-
16 ufactured tobacco; and the provisions for the imposition
17 of fines and penalties and for forfeitures, and all other
18 punishments in cases of a violation of the law in respect
19 to manufactured tobacco shall apply to and may be en-
20 forced in cases of violation of the law in respect to
21 unmanufactured or leaf tobacco, tobacco stems, or scraps
22 of tobacco and strips: *Provided, however,* That all un-
23 manufactured or leaf tobacco may be removed to a bonded
24 warehouse in like manner as manufactured tobacco, and all
25 provisions of the law relating to the removal of manufactured

26 tobacco under transportation bonds, and to the withdrawal of
27 the same from bonded warehouses for consumption or ex-
28 portation, shall apply to unmanufactured or leaf tobacco;
29 and every person, firm, or corporation engaged in the manu-
30 facture of tobacco, snuff flour, or cigars of any kind or de-
31 scription, having on hand or in his or its possession or power
32 any leaf tobacco or unmanufactured tobacco, or material for
33 the manufacture of tobacco, or articles of any kind
34 made of the same, or any substitute therefor, in the pro-
35 cess of manufacture or partly manufactured, or about to be
36 manufactured, is hereby required, on the said first day of July,
37 in the year of our Lord eighteen hundred and sixty-five, or
38 within ten days thereafter, to make and deliver to the assist-
39 ant assessor of the proper district a true statement or inven-
40 tory of each of the several kinds of such tobacco, material,
41 and articles on hand or in his possession or power on that
42 day, setting forth such particulars as the Commissioner of
43 Internal Revenue shall by regulations require.

1 SEC. 6. *And be it further enacted,* That any unmanu-
2 factured or leaf tobacco may be removed from the place of
3 production by the producer or owner thereof, under such
4 regulations as the Commissioner of Internal Revenue, under
5 the direction of the Secretary of the Treasury, shall prescribe,
6 and under bonds, the form and amount thereof to be pre-
7 scribed as aforesaid, or without bond, according to such

8 regulations. And any person or persons engaged in producing,
9 stemming, packing, or manufacturing tobacco in any of its
10 forms, may provide or establish a bonded warehouse of what-
11 ever class, under regulations to be prescribed as aforesaid.

1 SEC. 7. *And be it further enacted,* That any unmanu-
2 factured or leaf tobacco stored in a bonded warehouse may
3 be withdrawn therefrom for manufacture, or for manufacture
4 and exportation, and after the same shall be manufactured
5 may be returned to such bonded warehouse or exported under
6 such regulations and conditions as the Commissioner of In-
7 ternal Revenue, under the direction of the Secretary of the
8 Treasury, shall prescribe.

1 SEC. 8. *And be it further enacted,* That, in addition
2 to the tax on unmanufactured or leaf tobacco, tobacco stems,
3 strips, and scraps of tobacco, provided for in this act, there
4 shall be levied, collected, and paid by the manufacturer of
5 such tobacco on which a tax shall have been paid, the fol-
6 lowing duties, to wit:

7 On cavendish, plug, twist, and all other kinds of manu-
8 factured tobacco not herein provided for, from which the stem
9 has been taken out in whole or in part, or which is sweet-
10 ened, ten cents per pound.

11 On tobacco, merely twisted by hand or reduced from
12 leaf into a condition to be consumed without the use of any

13 machine or instrument, and without being pressed, sweetened,
14 or otherwise prepared, five cents per pound.

15 On smoking tobacco, manufactured with all the stems in,
16 the leaf not having been butted or stripped from the stem,
17 and on refuse tobacco, known as fine-cut shorts, five cents
18 per pound.

19 On fine-cut chewing tobacco, whether manufactured
20 with the stems in or not, or however sold, whether loose, in
21 bulk, or in packages, papers, wrappers, or boxes, ten cents
22 per pound.

23 On smoking tobacco made exclusively of stems, and not
24 mixed with leaf, or leaf and stems, five cents per pound.

25 On snuff flour made of tobacco, or of any substitute for
26 tobacco, ground dry or damp, fifteen cents per pound.

27 On snuff made by grinding or other artificial means of
28 pulverizing tobacco, without the same being pickled, scented,
29 or otherwise prepared after being ground, fifteen cents; when
30 made of leaf on which a tax of twenty cents per pound has
31 been paid and thirty-five cents per pound when made of leaf
32 tobacco on which no tax has been paid.

33 On snuff of every description, pickled or scented, or
34 otherwise prepared after being ground, manufactured of snuff
35 flour made partly or wholly of leaf tobacco, when a tax has not
36 been paid on the leaf tobacco or on the snuff of which the
37 said snuff is made, a tax of thirty-five cents per pound:

38 *Provided*, That no tax shall be required to be paid on snuff
39 made of snuff flour on which a tax or duty has been paid.

40 On scraps of tobacco, the refuse of cigar manufacturers,
41 and also on all scraps or refuse of plug manufactures, when
42 sold for smoking tobacco or for consumption, five cents per
43 pound.

44 On cigars of all descriptions, ten dollars per thousand.

45 On cheroots or short sixes, and on cigarettes made of
46 tobacco and enclosed in a paper wrapper, when sold for not
47 over fifteen dollars per thousand, including the tax, five dol-
48 lars per thousand; when sold for over fifteen dollars per
49 thousand, including the tax, ten dollars per thousand.

50 The duty on all kinds and descriptions of manufactured
51 tobacco, whether designed for use as smoking or chewing
52 tobacco, or as snuff, cigars, cigarettes, and cheroots, or in
53 any other way whatsoever, when made of unmanufactured
54 or leaf tobacco, on which no duty or tax has been paid in
55 the leaf, shall be subject to a tax or duty, as is provided for
56 in the act to which this is a supplement.

1 SEC. 9. *And be it further enacted*, Any collector may,
2 under the direction of the Commissioner of Internal Revenue,
3 demand a good and sufficient bond of any person, firm, com-
4 pany, or corporation, now engaged, or who shall hereafter
5 become engaged, in the manufacture of tobacco, in any man-
6 ner or form, or of any description whatsoever, where, in the

7 judgment of the collector, the same may be necessary to se-
8 cure the payment of the tax imposed by this act on such
9 manufactures, the said bond to be of like kind with that re-
10 quired of distillers by the fifty-third section of the act to
11 which this is a supplement, the condition thereof to be pre-
12 scribed and the amount of the penalty to be determined by
13 the Commissioner of Internal Revenue. And any person,
14 firm, company, or corporation refusing or neglecting to give
15 such bonds, upon demand in writing, and continuing to manu-
16 facture any of the aforesaid mentioned articles, shall, upon
17 conviction in any district or circuit of the United States,
18 be punished by imprisonment for a term not exceeding one
19 year, and all goods manufactured by him, her, or them, after
20 such demand, shall be forfeited, and may be seized and sold
21 by any collector or deputy collector; and all raw materials
22 owned or held by him, her, or them, and contained in the
23 place, building, yard, or enclosure, intended to be used in the
24 manufacture of any said articles, shall also be liable to
25 forfeiture and sale as aforesaid.

1 SEC. 10. *And be it further enacted*, That so much of
2 the act to which this is a supplement, as requires the inspect-
3 ing and stamping of cigars, be, and the same is hereby, re-
4 pealed.

1 SEC. 11. *And be it further enacted*, That the Secretary
2 of the Treasury be, and he hereby is, authorized and empow-

3 ered to prescribe such rules and regulations, and to appoint
4 such inspectors and other officers as he may deem proper and
5 necessary for the proper carrying out and enforcement of
6 this act, and all such rules and regulations shall be binding
7 upon all officers appointed to administer this act, and upon
8 all other persons in like manner as if the same had been in-
9 corporated into, and made part of, this act.